

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

---

MICHAEL FEHRENBACHER, Individually  
and On Behalf Of All Others Similarly Situated,

Plaintiff,

-against-

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D.,  
AND THOMAS D. DAVIS,

Defendants.

C.A. No. 05-256-SLR

---

[additional captions on the following pages]

**CERTIFICATE OF SERVICE**

---

ROBERT H. AYLOR, JR., On Behalf Of  
Himself and All Others Similarly Situated,

Plaintiff,

-against-

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D., and  
THOMAS D. DAVIS

Defendants.

---

C.A. No. 05-222-SLR

---

MOSHE TAL, Individually and On Behalf Of  
All Others Similarly Situated,

Plaintiff,

-against-

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D., and  
THOMAS D. DAVIS,

Defendants.

---

C.A. No. 05-242-SLR

---

JEFFREY M. JASKOL AND STACEY J.  
JASKOL, Individually and On Behalf Of All  
Others Similarly Situated,

Plaintiff,

-against-

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D.,  
THOMAS D. DAVIS, BRUCE C. HAYDEN and  
GRANT THORNTON, LLP,

Defendants.

---

C.A. No. 05-268-SLR

---

JOSEPH DANIEL WAUHOP, On Behalf Of  
Himself and All Others Similarly Situated,

Plaintiff,

-against-

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D.,  
THOMAS D. DAVIS, JOHN F. MOYNAHAN and  
GRANT THORNTON, LLP,

Defendants.

---

C.A. No. 05-310-SLR

---

CHRISTINA W. DONNELLY, JOHN  
DONNELLY, JAMES G. WILLIAMSON and  
RICHARD W. DEARBORN, Individually and On  
Behalf Of All Others Similarly Situated,

Plaintiff,

-against-

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D.,  
THOMAS D. DAVIS, BRUCE C. HAYDEN and  
GRANT THORNTON, LLP,

Defendants.

---

C.A. No. 05-334-SLR

---

CHARLES W. SMITH, Individually and On  
Behalf Of All Others Similarly Situated,

Plaintiff,

-against-

XYBERNAUT CORPORATION, EDWARD G.  
NEWMAN, STEVEN A. NEWMAN, M.D.,  
THOMAS D. DAVIS, BRUCE C. HAYDEN and  
GRANT THORNTON, LLP,

Defendants.

---

C.A. No. 05-354-SLR

I, Robert R. Davis, do hereby certify that on June 28, 2005, true and accurate copies of the foregoing The Alsabbagh Family's (f/k/a The Fehrenbacher Shareholder Group) Answering Brief in Opposition to the James Group's, Xybernaut Investors Group's, and Al Mesnad Group's Motions for Consolidation of All Related Actions, Appointment of Lead Plaintiffs, and Approval of Proposed Lead Plaintiffs' Selection of Counsel, Compendium of Unreported Opinions, and the Second Affidavit of Robert R. Davis were served on the following counsel of as follows on June 28, 2005:

**BY HAND DELIVERY**

**MILBERG WEISS BERSHAD &  
SCHULMAN LLP**

Seth Rigrodsky  
Ralph N. Sianni  
919 N. Market Street, Suite 411  
Wilmington, DE 19801

**DRINKER BIDDLE & REATH, LLP**

William T. Quillen  
David Phillip Primack  
1100 North Market Street  
Suite 1000  
Wilmington, DE 19801-1254

**PRICKETT, JONES & ELLIOTT**

James L. Holzman  
J. Clayton Athey  
1310 King Street  
Wilmington, Delaware 19801

**ROSENTHAL MONHAIT GROSS &  
GODDESS, P.A.**

Jessica Zeldin  
919 Market Street, Suite 1401  
P.O. Box 1070  
Wilmington, DE 19899.

**SMITH, KATZENSTEIN, & FURLOW**

Laurence V. Cronin  
800 Delaware Ave.  
P.O. Box 410  
Wilmington, DE 19899

**SAUL EWING LLP**

Michael F. Bonkowski  
222 Delaware Avenue, Suite 1200  
P.O. Box 1266  
Wilmington, DE 19899

**MORRIS JAMES HITCHENS  
& WILLIAMS**

Michael A. Weidinger  
222 Delaware Avenue, 10<sup>th</sup> Floor  
P.O. Box 2306  
Wilmington, DE 19899

**BY U.S. POSTAL SERVICE PRIORITY MAIL**

**McGUIRE WOODS LLP**

Robert Plotkiner  
Washington Square  
1050 Connecticut Avenue, NW  
Suite 1200  
Washington, DC 20036

**DIMURA GINSBERG P.C.**

John M. Tran  
908 King Street, Suite 200  
Alexandria, VA 22314

**DRINKER BIDDLE & REATH, LLP**

Edward M. Posner  
Susan M. Kennedy  
One Logan Square  
18th and Cherry Streets  
Philadelphia, PA

**MAYER BROWN ROWE & MAW LLP**

Andrew J. Morris  
1909 K Street, N.W.  
Washington, D.C. 20006

**LANDSKRONER, GRIECO,  
MADDEN, LTD.**

Jack Landskroner  
Paul Greico  
1360 West 9<sup>th</sup> Streetm Suite 200  
Cleveland, OH 44113

**GLANCY, BINKOW & GOLDBERG  
LLP**

Lionel Z. Glancy  
Michael Goldberg  
Dale MacDiarmid  
1801 Avenue of the Stars, Suite 311  
Los Angeles, CA 90067

**REES, BROOME & DIAZ, P.C.**

Robert E. Scully, Jr.  
8133 Leesburg Pike, 9<sup>th</sup> Floor  
Tysons Corner, VA 22182

**LECLAIR RYAN, P.C.**

William E. Donnelly  
1701 Pennsylvania Avenue  
Suite 1045  
Washington, D.C. 20006

**COHEN MILSTEIN HAUSFELD &  
TOLL PLLC**

Steven Jeffrey Toll  
Cohen Milstein Hausfeld & Toll PLLC  
1100 New York Avenue  
Suite 500  
Washington, DC 20005

**MURRAY, FRANK & SAILER LLP**

Eric J. Belfi  
275 Madison Avenue  
New York, NY 10016

**MILBERG WEISS BERSHAD &  
SCHULMAN LLP**

Steven G. Schulman  
David P. Brower  
Peter E. Seidman  
Sharon M. Lee  
One Pennsylvania Plaza, 49<sup>th</sup> Floor  
New York, NY 10119  
(212) 594-5300

**HOLMAN LAW OFFICE**

Thomas A. Holman  
One Pennsylvania Plaza, Suite 4632  
New York, NY 10017

**SHEPHERD, FINKELMAN, MILLER  
& SHAH, LLC**

James E. Miller  
Patrik Klingman  
Karen M. Lesser  
65 Main Street  
Chester, Connecticut 06412

**STRAUSS & BOIES LLP**

Timothy D. Battin  
Christopher H. Skinner  
Nathan Cihlar  
10513 Braddock Road  
Fairfax, VA 22032

**WEISS & LURIE**

Joseph H. Weiss  
551 Fifth Avenue  
New York, NY 10176  
Tel: (212) 682-3025

**SCHATZ & NOBEL**

Andrew M. Schatz  
Jeffrey S. Nobel  
One Corporate Center  
20 Church Street  
Hartford, Connecticut 06103

**STULL, STULL & BRODY**

Jules Brody  
Aaron Brody  
Tzivvia Brody  
6 East 45th Street  
New York, NY 10017

**FEDERMAN & SHERWOOD**

William B. Federman  
Wm. Pat Wasson  
120 No. Robinson, Suite 2720  
Oklahoma City, OK 73102  
Tel: (405) 235-1560

**SPECTOR, ROSEMAN & KODROFF,  
PC**

Robert M. Roseman  
Andrew D. Abramowitz  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103

Dated: June 28, 2005

**CHIMICLES & TIKELLIS LLP**



---

Pamela S. Tikellis (#2172)  
Robert J. Kriner (#2546)  
A. Zachary Naylor (#4439)  
Robert Davis (#4536)  
P.O. Box 1035  
One Rodney Square  
Wilmington, Delaware 19899  
Tel: (302) 656-2500  
Proposed Lead Delaware Counsel

OF COUNSEL:

Sarraf Gentile LLP  
111 John Street, 8th Floor  
New York, NY 10038  
Ronen Sarraf (of the New York bar)  
Joseph Gentile (of the New York bar)  
111 John Street, 8th Floor  
New York, NY 10038

Proposed Lead Counsel

Bruce Murphy, Esq.  
265 Llwyds Ln.  
Vero Beach, Florida 32963  
(772) 231-4202